

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
YORKSHIRE TOWERS COMPANY, L.P. and
YORKSHIRE TOWERS TENANTS ASSOCIATION,

Plaintiffs,

-against-

THE FEDERAL TRANSIT ADMINISTRATION, et al

Defendants.
-----X

YORKSHIRE TOWERS COMPANY, L.P. and
YORKSHIRE TOWERS TENANTS ASSOCIATION,

Plaintiffs,

-against-

UNITED STATES DEPARTMENT OF
TRANSPORTATION, et al

Defendants.
-----X

Case No. 10-cv-8973 (TPG)

**Declaration in Opposition
to Defendants MTA and
MTACC's Motion to
Dismiss So Much of
Freedom of Information
Complaint as Pertains
to Them in the First Case**

Case No. 11-cv-1058 (TPG)

RELATED CASE

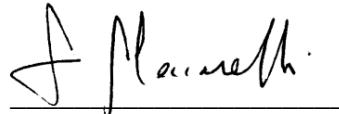
Joseph J. Ceccarelli, declares the following:

1. I am a member of the firm of Ceccarelli Weprin PLLC, attorneys and co-counsel for Plaintiffs Yorkshire Towers Company L.P., and Yorkshire Towers Tenants Association.

2. This Declaration is in Opposition to Defendants Metropolitan Transportation Authority and Metropolitan Transportation Authority Capital Construction Company's motion to dismiss so much of the Freedom of Information Complaint as pertains to them in first case.

3. A true and correct copy of the FOI Complaint is attached as Exhibit A.
4. A true and correct copy of the Freedom of Information Request in the first case is attached as Exhibit B.
5. A true and correct copy of the Metropolitan Transportation Authority's letter response to Plaintiffs' FOI Request, dated October 11, 2010 is attached as Exhibit C.
6. A true and correct copy of the Federal Transit Administration's Answer, dated February 2, 2011 is attached as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on October 4, 2011.



Joseph J. Ceccarelli